

MESSAGE NO: 7327113

MESSAGE DATE: 11/22/1996

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: TER-Termination Notice PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-201-820

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 10/28/1996 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: TERMINATION OF SUSPENSION OF LIQUIDATION IN THE ANTIDUMPING DUTY  
INVESTIGATION OF FRESH TOMATOES FROM MEXICO (A-201-820)

MESSAGE NO: 7327113

DATE: 11 22 1996

CATEGORY: ADA

TYPE: TER

REFERENCE:

REFERENCE DATE:

CASES: A - 201 - 820

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PERIOD COVERED: 10 28 1996 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,  
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: TERMINATION OF SUSPENSION OF LIQUIDATION IN THE  
ANTIDUMPING DUTY INVESTIGATION OF FRESH TOMATOES FROM  
MEXICO (A-201-820)

1. ON OCTOBER 28, 1996, THE DEPARTMENT OF COMMERCE (THE  
DEPARTMENT) SUSPENDED THE ANTIDUMPING INVESTIGATION ON FRESH  
TOMATOES FROM MEXICO (SEE FEDERAL REGISTER 56618, NOVEMBER 1,  
1996). PURSUANT TO THE SUSPENSION AGREEMENT SUSPENDING THE  
ANTIDUMPING INVESTIGATION, THE DEPARTMENT IS TERMINATING THE  
SUSPENSION OF LIQUIDATION ON FRESH TOMATOES FROM MEXICO.

2. SCOPE

THE PRODUCTS COVERED BY THIS INVESTIGATION ARE ALL FRESH OR CHILLED TOMATOES (FRESH TOMATOES) EXCEPT FOR COCKTAIL TOMATOES AND THOSE

TOMATOES WHICH ARE FOR PROCESSING. FOR PURPOSES OF THIS INVESTIGATION, COCKTAIL TOMATOES ARE GREEN-HOUSE GROWN TOMATOES,

GENERALLY LARGER THAN CHERRY TOMATOES AND SMALLER THAN ROMA OR

COMMON ROUND TOMATOES, AND ARE HARVESTED AND PACKAGED ON-THE-VINE

FOR SALE. FOR PURPOSES OF THIS INVESTIGATION, PROCESSING IS DEFINED TO INCLUDE PRESERVING BY ANY COMMERCIAL PROCESS, SUCH AS CANNING, DEHYDRATING, DRYING OR THE ADDITION OF CHEMICAL SUBSTANCES, OR CONVERTING THE TOMATO PRODUCT INTO JUICES, SAUCES OR

PUREES. FURTHER, IMPORTS OF FRESH TOMATOES FOR PROCESSING ARE ACCOMPANIED BY AN IMPORTERS EXEMPT COMMODITY FORM (FV-6) (WITHIN THE MEANING OF 7 C.F.R. SECTION 980.501(A)(2) AND 980.212(I)).

FRESH TOMATOES THAT ARE IMPORTED FOR CUTTING UP, NOT FURTHER PROCESSED (E.G., TOMATOES USED IN THE PREPARATION OF FRESH SALSA OR SALAD BARS), AND NOT ACCOMPANIED BY AN FV-6 FORM ARE COVERED BY THE SCOPE OF THIS INVESTIGATION.

ALL COMMERCIALY-GROWN TOMATOES SOLD IN THE UNITED STATES, BOTH FOR

THE FRESH MARKET AND FOR PROCESSING, ARE CLASSIFIED AS LYCOPERSICON ESCULENTUM. IMPORTANT COMMERCIAL VARIETIES OF FRESH

TOMATOES INCLUDE COMMON ROUND, CHERRY, PLUM, AND PEAR TOMATOES, ALL

OF WHICH WITH THE EXCEPTION OF COCKTAIL TOMATOES, ARE COVERED BY THIS INVESTIGATION.

TOMATOES IMPORTED FROM MEXICO COVERED BY THIS INVESTIGATION ARE CLASSIFIED UNDER THE FOLLOWING SUBHEADINGS OF THE HARMONIZED TARIFF

SCHEDULES OF THE UNITED STATES (HTSUS), ACCORDING TO THE SEASON OF IMPORTATION: 0702.00.20, 0702.00.40, 0702.00.60, AND 9906.07.01

THROUGH 9906.07.09. ALTHOUGH THE HTS NUMBERS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER (A-201-820)

4. EFFECTIVE NOVEMBER 22, 1996, THE CUSTOMS SERVICE SHALL TERMINATE SUSPENSION OF LIQUIDATION OF ALL SHIPMENTS OF THE SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER NOVEMBER 1, 1996. ALL ESTIMATED ANTIDUMPING DUTY DEPOSITS ON ENTRY SUMMARIES OF THE SUBJECT MERCHANDISE SHALL BE REFUNDED AND THE BONDS OR OTHER SECURITY RELEASED AT THE TIME OF LIQUIDATION.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT, VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, IMPORT OPERATIONS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT JOHN BRINKMANN AT (202) 482-5288 OR JUDITH WEY RUDMAN AT (202) 482-0192, OFFICE OF ANTIDUMPING DUTY ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

WILLIAM D. SLYNE

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party